

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

In re	§	
	§	
ADVANCE TRANSPORTATION	§	Case No. 21-30906-HCM-11
SERVICES INCORPORATED,	§	
Debtor.	§	

EMERGENCY MOTION TO CONTINUE UTILITY SERVICES
FROM EL PASO ELECTRIC

TO THE HONORABLE H. CHRISTOPHER MOTT, UNITED STATES BANKRUPTCY JUDGE:

Now comes the Debtor-in-Possession ADVANCE TRANSPORTATION SERVICES INCORPORATED (“ATSI”) and through its counsel E.P. BUD KIRK files this Emergency Motion to Continue Utility Service from EL PASO ELECTRIC, and for cause would show:

1.

Petition date in this case is November 30, 2021.

2.

The Debtor is a corporation engaged in business in El Paso, Texas. The Debtor is capable of formulating a confirmable Plan of Reorganization and paying its creditors through such a Plan.

3.

Debtor is current on its utilities account with EL PASO ELECTRIC.

4.

Debtor is required to provide some adequate assurance of payment before twenty days have elapsed since petition date, or the utilities servicers could elect to initiate steps to terminate service once the twenty days prescribed by 11 U.S.C. § 366 run out.

5.

As adequate assurance of payment, Debtor already maintains a security deposit, in the amount long ago represented by EL PASO ELECTRIC. A December monthly bill (account #-0866) from EL PASO ELECTRIC averages about \$400.00. The Debtor would add to its security deposit an additional half month's usage, or \$200.00, to be paid one time in addition to the next monthly invoice.

6.

If the Debtor cannot continue to provide essential utilities, it will soon lose its functionality, causing a disastrous decline in its income stream, and harming most creditors' prospects for a successful recovery in this case.

WHEREFORE, PREMISES CONSIDERED, Debtor prays that, after notice and a hearing, this Court grants permission for ongoing use of electric services as herein described. Further Debtor prays for all other relief described in the circumstances, whether general or special, at law or equity.

Respectfully submitted this 30th day of November, 2021.



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Attorney for Debtor

CERTIFICATE OF SERVICE

I do hereby certify that on the 30th day of November, 2021, I did cause a copy of the foregoing Motion to Continue Utility Service from El Paso Electric to be mailed to U.S. Trustee, P.O. Box 1539, San Antonio, TX 78205-1539; to Subchapter V Trustee, c/o Brad W. Odell, 1500 Broadway, Suite 700 Lubbock, Texas 79401; to Advance Transportation Services Incorporated, 12308 Red Sun Dr., El Paso, TX 79938; and to El Paso Electric, c/o Jeff Weikert, 100 N. Stanton St., El Paso TX 79901-0000.

/s/ 

E.P. BUD KIRK